

December 15, 2022

VIA ECF

Hon. Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: Rahman, et ano v. July 96 Corp., et al.
Case No. 21-cv-9649 (S.D.N.Y.)**

Dear Judge Torres:

I write on behalf of Plaintiffs Mohammad Rahman and Jose Vargas in order to request that the Court clarify if the parties' prior submissions are adequate for the Court to determine whether the signed settlement agreement in this matter is fair and reasonable as required by *Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015).

As the Court is aware, on March 31, 2022, the parties notified the Court that they had reached a settlement in principle. (Dkt. No. 23). On April 1, 2022, the Court ordered the parties to submit a joint letter motion requesting that the Court approve the settlement by June 1, 2022. (Dkt. 24). On June 1, 2022, the parties submitted the joint letter motion seeking approval of the settlement. (Dkt. No. 25). On June 2 and 8, 2022, Plaintiffs filed supplemental letters in support of the parties' joint motion for settlement approval. (Dkt. Nos. 27, 28). On June 14, 2022, the Court ordered counsel for Plaintiffs to submit contemporaneous billing records to support their request for attorneys' fees, which Plaintiffs submitted the same day. (Dkt. Nos. 29, 30).

On July 5, 2022, the Court denied the parties motion for settlement approval and ordered the parties to re-file a revised settlement agreement that: (1) addresses the remaining Wolinsky factors, (2) narrows the relates provision so as not to confer an unearned benefit on entities and individuals beyond the parties herein, and (3) limits the releases only as to claims arising the same facts that give rise to the claims advanced in this action. (Dkt. No. 31). On July 21, 2022, Plaintiffs submitted a revised settlement agreement, along with a letter motion, that addressed the issues in the Court's July 5 order. (Dkt. No. 32).

As it has been almost five months since Plaintiffs' July 21, 2022 submission, Plaintiffs now write to the Court to seek confirmation that the parties' submissions to date are adequate for the Court to approve the settlement.

We thank the Court for its attention to this matter.

Respectfully Submitted,

/s Mike DiGiulio
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